

City of San Jose
Coyote Valley Specific Plan

Community Meeting Summary
April 27, 2006
Leininger Center

Community Members Present

Frank Crane, Richard DeSmet, Liz Hirata, Mel Hirata, Virginia Holtz, Yeung Huh, Sung Kee, Vic LoBue, David Roemer, Steve Ross, Annie Saso, Steve Temple, and Al Victors.

Task Force Members Present

Eric Carruthers and Ken Saso.

Technical Advisory Committee (TAC) Members Present

None.

City and Other Public Agencies Staff Present

Frances Grammer (Council District 2), Sal Yakubu (PBCE), Susan Walsh (PBCE), Mike Mena (PBCE), Sylvia Do (PBCE), Regina Mancera (PBCE), and Maria Angeles (Public Works).

Consultants

Doug Dahlin (Dahlin Group) and Eileen Goodwin (Apex Strategies).

1. Welcome and Introductions

The meeting convened at 6:40 p.m. with Eileen Goodwin, with Apex Strategies, welcoming everyone to the Coyote Valley Specific Plan (CVSP) community meeting.

2. Agenda and CVSP Process Overview

Eileen reviewed the meeting agenda. There would be opportunities for public comments throughout the presentation.

3. Discussion of Land Use and Design Concepts for the CVSP

Sylvia Do, a planner with the PBCE Department, provided an overview of the CVSP process. The City Council initiated the CVSP in August of 2002 and established 16 Vision and Expected Outcome statements. The draft specific plan document will be available in Spring 2006 and the draft Environmental Impact Report (DEIR) will be released in Fall 2006. The CVSP is anticipated to be submitted to the City Council for consideration in 2007. Sylvia reviewed the CVSP outreach process and mentioned the members of the CVSP consultant team.

Sylvia reviewed the development of the CVSP and the principles upon which the plan was created. She discussed the environmental footprint, blue infrastructure, green infrastructure, transportation system, and the overall plan concept.

Susan Walsh, a senior planner with the PBCE Department, reviewed each of the thirteen CVSP planning areas. Upcoming City Council Study Sessions will have discussions regarding the draft CVSP Fiscal Impact Report, the draft Specific Plan, and the draft zoning. The CVSP environmental impact report (EIR) will be available for public review in Fall 2006. The city will continue to have community meetings.

Community members provided the following questions and comments (Please note that comments are shown first, with responses in *italics*):

- Concerned that there are not very many citywide community members attending the meeting. Concerned about outreach and public noticing. *Staff explained that the CVSP mailing list is very broad and includes Coyote Valley property owners, former CVSP meeting attendees, stakeholders, citywide neighborhood organizations, and those interested in the city's development projects.*

4. Discussion of Agricultural Land Conversion Strategy

Mike Mena, a planner with the PBCE Department, reviewed the agricultural land conversion strategy. He explained the potential agricultural land conversion in San Jose, Santa Clara County's General Plan land use designations for agriculture and open space in South County, and the city's General Plan natural resources goals and policies. Mike explained the city's responsibilities per CEQA and reviewed CEQA's definition of agricultural land. He described the role of the Local Agency Formation Commission (LAFCO) and their comments for the CVSP Notice of Preparation (NOP). Mike reviewed the California Land Evaluation and Site Assessment (LESA) model and the potential agriculture conversion policy options. Next steps include developing a mitigation program for converted agricultural land(s) by meeting with stakeholders, identifying appropriate mitigation, identifying implementation techniques, and identifying a process for on-going management and monitoring program(s). Tonight's community meeting discussion will focus on: (1) identifying types of projects to mitigate for; (2) identifying appropriate mitigation

areas; (3) determining an appropriate amount of mitigation; (4) identifying possible land acquisition mechanisms; and (5) listing program administration procedures and on-going administration funding.

5. Public Comments

The public provided the following questions and comments:

(a) Identify Types of Projects to Mitigate For

- This should be a citywide policy. The policy can be tweaked for smaller parcels.
- In reference to the Potential Agricultural Land Conversion in San Jose map: If we are developing the city's agricultural land, we need to help the remaining agricultural land through subsidies.

(b) Identify Appropriate Mitigation Areas

- Since the North and Mid-Coyote Valley will be developed, mitigation should remain in the South Coyote Valley Greenbelt since it is a part of Coyote Valley. Should mitigate as open space for open space dollars.
- Mitigation should occur as close to the impacted area as possible. Mitigation should take place in the Greenbelt as much as possible.
- Mitigation should take place outside of Coyote Valley.
- Why are we talking about mitigating land outside of Coyote Valley when this is about the CVSP? *Staff has been reviewing other agricultural mitigation policies. This must be a citywide policy since development in other parts of the city may also require agricultural mitigation.*
- Need to mitigate parcels that are at least 1,000 acres. Farming requires a lot of acreage for farming equipment.
- Today's farming requires a lot of land and financial support. Farming and urban development do not mix. Cannot grow anything in Coyote Valley except for grass. Recommended preserving agricultural land outside of Coyote Valley.
- If the purpose of this strategy is to preserve agricultural land, the money should be used to buy land that can truly be farmed.

(c) Determine an Appropriate Amount of Mitigation

- There should be a fee per acreage rather than requiring developers to find agricultural land to mitigate. This makes it easier for developers to calculate their development costs and it makes it possible to strategically buy parcels to create a cohesive agricultural land. The fee should relate to the cost of agricultural land being bought.
- Should not penalize developers. Coyote Valley has already lost a lot of opportunities because businesses are not allowed to develop.
- Agricultural mitigation fees will be the seed money that will bring money from the state's agricultural conservation fund, Open Space Authority, Trust for Public Lands, etc. There

are agencies that make it their business to join in partnership with local governments to make these projects work.

- The mitigation fee should be applied to all agricultural land in the city.
- Recommended like-for-like mitigation. Development increases the city's tax revenue. The increased revenue can be applied towards agricultural land preservation. Rather than taking money from developers, this strategy uses the city's revenue that resulted from the development.
- Recommended 1:1, like-for-like mitigation.
- Recommended mitigating use-for-use. For example, you can mitigate 10 acres of inner city land where it is difficult to farm for land located outside of the city where agricultural uses are more viable.

(d) Identify Possible Land Acquisition Mechanisms

- Can target land in the city's outlying areas for special treatment (e.g., tax, employment, etc.). This process would require a rezoning or land use overlay, not land acquisition.
- Why have an entity manage these lands? Should allow farmers to privately farm, not set up another government subsidy.
- A separate entity could pull together mitigations to purchase in fee title or as agricultural easements. This would create a coherent land large enough to do specialty crop farming.

(e) List Program Administration Procedures and On-going Administration Funding

- It is necessary to have on-going funding to support the program beyond the cost of purchasing land. Can create a services district with a modest annual fee to support on-going funding.
- An endowment or pool of money could establish long-term programming and administrative funding.
- Are we talking about agricultural land or open space? If we are talking about open space, the Open Space Authority needs to step up and purchase property. Other entities also need to bring money to the table if they want to protect open space. Should not extort land from property owners and developers. Other parts of the city were not subject to this. This needs to be equitable.
- Need to involve more people and more funding sources to have a successful mitigation strategy. The money should not only come from Coyote Valley developers. It will take money from outside of San Jose to make this work.
- Recommended using the city's increased revenue from development to offset other taxes.

(f) Other Comments

- Why do we need agricultural land mitigation? This seems like an old rule.
- Disagrees with CEQA's and LAFCO's definition of prime agricultural land. It is not prime agricultural land unless it is used for agriculture. Need to mitigate with additional open space, not prime agricultural land with a high land value. Open space could be used for mitigation.

- Is land located next to urban businesses and homes truly agricultural land or is it just open space? If there are not farmers around to farm, the land is just dirt.
- People who do not farm are telling people how to farm. There has been pressure to prolong Coyote Valley development for 35 years. This has resulted in development occurring in South County and the Central Valley where people were farming. Jobs and housing in Coyote Valley would minimize the commute.
- The issue is not whether there is agricultural land in the county; the question is whether farming is practical and economical. Farmers can farm more economically in other areas. Does not think the city will be friendly towards farming operations.
- This may look like agricultural land, but it's not agricultural land if it just sits there and is not farmed. Farming is not viable, costly, and does not mix with urban development.
- Coyote Valley farmers farm to respect their family's agricultural history, not because they want to farm. Even if Coyote Valley becomes a competitive farming environment, who will step up to do the hard work required to farm?
- It takes a lot of effort to farm, particularly to create a successful business. Farming costs are too high. Younger generations do not want to farm.
- One member of his group tried to build a greenhouse, but the permit process was lengthy, prohibitive, and expensive. This is an example of when someone wanted to farm in Coyote Valley, but the city or county made it impossible to do anything that would make farming profitable.
- FarmLink wants to farm, but they do not have the money to farm.
- The CVSP Greenbelt Report included interviews from many Greenbelt property owners. The report states that Coyote Valley farmers are not making money so the report has not been referenced much.
- The Bay Area has successful examples of farmers farming on less than 100 acres. California FarmLink has a list of perspective farmers looking for parcels 30 acres or smaller. There are two types of agriculture – big commodity and specialty crop agriculture. Specialty crops can be farmed on small parcels.

6. Next Steps/Adjourn

The next Task Force meeting will be on May 8, 2006 to discuss the draft CVSP Fiscal Impact Report. The next Community Meeting will be on May 11, 2006 to discuss the Fiscal Impact Report.

The meeting was adjourned at approximately 8:20 p.m.